



On her application, the appellant indicated that she possessed a Master's degree in Human Sexuality and Marriage and Family Counseling. Additionally, she indicated that she was provisionally serving in the subject title from October 2016 to the May 22, 2017 closing date, a Community Education Manager/Teen Health Initiative for Central Jersey Family Health Consortium from July 2011 to September 2016, a Community Education Manager for Regional Perinatal Consortium of Monmouth and Ocean Counties from January 2006 to July 2011, a Director of Prevention Services for New York Harm Reduction Educators from February 2003 to December 2005, a Director for Neutral Zone from April 1999 to January 2003, a Clinical Coordinator for Greenwich Village Youth Council from July 2000 to December 2002, a Program Coordinator for New York Peer AIDS Education Coalition from March 1997 to April 1999, and a Permanency Planner and Adolescent Service Coordinator for the AIDS Resource Foundation for Children from June 1992 to August 1993. Agency Services rejected the appellant finding that her Master's degree was not in the required area. Also, it credited the appellant with two years and 11 months of experience based on her experience with New York Harm Reduction Educators, but determined that she lacked one year and one month of experience.

On appeal, the appellant clarifies her experience by explaining how she worked on the detection of chronic disease throughout her career in various positions as far back as 1992. She presents documentation that shows that Columbia University's sexuality and health degrees are considered Master's in Public Health. She submits a letter from a Professor and former director of the graduate programs in Human Sexuality at Widener University who indicates that a Human Sexuality degree is a Public Health degree.

## CONCLUSION

*N.J.A.C.* 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that the appellant lacked the required education and experience as she did not clearly explain in her application how her work involved the detection of chronic disease. Further, she did not provide sufficient documentation to indicate that her Master's degree in Human Sexuality and Marriage and Family Counseling would be accepted by a university as a Master's degree in Public Health.

Under *N.J.A.C.* 4A:4-2.1(g), the Commission can accept clarifying information in eligibility appeals. However, *N.J.A.C.* 4A:4-2.1(f) provides that an application may only be amended prior to the announced closing date. For example,

information submitted on appeal pertaining to duties in a given position that expands or enlarges information previously submitted is considered clarifying and is accepted. However, any documentation indicating work in a setting that was not previously listed on an application or resume cannot be considered after the closing date. Thus, the Commission can only consider information provided on appeal regarding the positions listed on the appellant's original application. *See In the Matter of Diana Begley* (MSB, decided November 17, 2004).

In this matter, the appellant explains how all of her positions as far back as 1992 have involved the detection of chronic diseases. Further, the appellant submits a letter from a Professor and former director of graduate programs in Human Sexuality that supports her claim that her Master's degree is in a field related to Public Health. Additionally, given that any certification issued to the Department of Health for the appellant's position would be incomplete as there are only two eligibles who have expressed interest in employment in Mercer County, and the appellant continues to serve provisionally in the subject title, good cause is established to relax the provisions of *N.J.A.C. 4A:4-2.3(b)2* and accept her education and experience, for eligibility purposes only, in order to admit her to the subject examination. Additionally, as the announcement was processed as a qualifying unassembled examination where all candidates meeting the eligibility criteria receiving the same score and rank, upon the processing of her application it is appropriate in this case to add the appellant's name to certification OS170841 to allow the appointing authority the opportunity to make a permanent appointment.

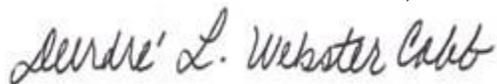
This determination is limited to the instant matter and does not provide precedent in any other matter.

### ORDER

Therefore, it is ordered that the appeal be granted and the appellant's application be processed and her name be added to certification OS170841 for current employment opportunities.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 1<sup>st</sup> DAY OF AUGUST, 2018



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